

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

BRYAN ALAN KROPP,

Plaintiff,

v.

Case No. 6:20-cv-1196-RBD-DCI

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

ORDER

In this Social Security appeal, Defendant Commissioner of Social Security (“Commissioner”) moved for remand so an Administrative Law Judge (“ALJ”) can apply the correct legal standard to Plaintiff’s claim. (Doc. 29 (“Motion”).) Plaintiff opposed, asking for a remand so the ALJ can award him benefits outright. (Doc. 30.) The Commissioner replied. (Doc. 32.)

On referral, U.S. Magistrate Judge Daniel C. Irick entered a Report and Recommendation recommending the Court grant the Commissioner’s Motion, noting Plaintiff has not demonstrated he is entitled to an award of benefits without further argument. (Doc. 33 (“R&R”).) The parties did not object to the R&R, and the time for doing so has passed. So the Court examines the R&R for clear error only. *See Macort v. Prem, Inc.*, 208 F. App’x 781, 784 (11th Cir. 2006). Finding none,

the R&R is due to be adopted in its entirety.

Accordingly, it is **ORDERED AND ADJUDGED**:

1. The R&R (Doc. 33) is **ADOPTED, CONFIRMED**, and made a part of this Order in its entirety.
2. The Commissioner's Motion (Doc. 29) is **GRANTED**.
3. The final decision of the Commissioner is **REVERSED AND REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g) for the reasons stated in the R&R.
4. The ALJ is **DIRECTED** to hold an administrative hearing within **120 days** of this Order.
5. The Clerk is **DIRECTED** to enter judgment in favor of Plaintiff and then to close the file.

DONE AND ORDERED in Chambers in Orlando, Florida, on June 1, 2021.




ROY B. DALTON JR.
United States District Judge